

2006 Elections Legislation

ESB 6236 – Election Dates and Deadlines (effective January 1, 2007)

- Changes the Primary from the 3rd Tuesday in September to the 3rd Tuesday in August.
- Changes filing week from the 4th Monday in July to the 1st Monday in June.
- Increases the time for certifying the Primary from 10 days to 15 days.
- Requires military and overseas ballots to be mailed 30 days before the election.
- Increases the time for requesting a special election from 45 days to 52 days.
- Changes other election-related dates.
- Eliminates the post-legislative session campaign finance freeze.

ESHB 2479 – Voting Equipment

- Requires disability voting devices to be available for the same period of time that absentee ballots are available – 20 days before the election. The County Auditor has discretion over the location and hours of disability voting prior to election day.
- Changes the requirement that voting equipment be “used in at least one other state” to a requirement that it be tested and certified by the U.S. Election Assistance Commission.
- Allows signatures to be verified by an automated verification system that has been approved by the Secretary of State’s Office. The Secretary of State’s Office must establish rules regarding the hardware and software for automated signature verification systems.
- Requires vote-by-mail counties to establish an advisory committee of persons with disabilities to develop a plan to accommodate persons with disabilities in the vote-by-mail environment.

SHB 2695 – Notifying Voters of a Missing or Mismatched Signature

- Requires the County Auditor to notify a voter of a missing or mismatched signature by first class mail.
- Requires the County Auditor to notify a voter by telephone if the ballot is received during, or the voter notified by mail has failed to respond by, the 3 business days before the final canvassing board meeting.
- Allows the voter to mail with the affidavit a copy of a valid government ID that includes the voter’s current signature. The signature on the affidavit may be compared to either the signature on file or the signature printed on the government ID.

HB 3041 – Voter Registration Deadline

- Sets the deadline for registering to vote at 30 days before an election.
- Allows an exception for a person not already registered in the state to register in person in the County Auditor’s Office between 30 days before an election and 15 days before an election.

HB 2477 – Technical Changes to Election Laws

- Changes the name of the petition in lieu of the filing fee from “nominating petition” to “filing fee petition” to avoid confusion with the minor party nominating petition.
- Removes out-of-state voters from the statute on UOCAVA envelopes.
- Repeals duplicative statutes.
- Makes other technical changes.

SSB 6362 – Voter Registration Challenges

- Requires the County Auditor to post filed challenges on the Auditor's website, and notify anyone who has requested notification.
- Requires a voter who has a nontraditional address to provide a description of the location, rather than the address of a public building. The voter must provide a valid mailing address.
- Clarifies that a challenge must be based on personal knowledge that the voter:
 - has been convicted of a felony and has not had his or her rights restored;
 - has been judicially declared ineligible to vote due to mental incompetency;
 - is not a citizen of the United States;
 - will not be 18 years old by the election; or
 - does not live at the residential address provided.
- For a challenge based on residency, requires the challenger to either provide the voter's actual residence or submit evidence that he or she completed a number of specified steps to verify that the voter does not reside at the address given. The actual residence or proof of due diligence must be provided when the challenge is filed.
- Establishes a deadline for a voter or the prosecutor to file a challenge: 45 days before an election, or 10 days before an election if the challenged voter registered or moved 60 days before the election. A poll site judge or inspector may still challenge a voter at the poll site on election day.
- Requires the challenger to provide facts on the challenge form.
- If the voted ballot has already been received before the challenge is filed, the challenge does not affect the current election.
- Clarifies that the County Auditor may reject the challenge if it is not in proper form, or the factual basis does not meet the legal grounds for a challenge. A challenge is not in proper form if it is incomplete on its face or does not substantially comply with the form.
- For a challenge based on residency, requires the County Auditor to provide the challenged voter with information on the residency requirements and exceptions.
- Allows the challenged voter to transfer or reregister until the day before the election.
- For a challenge based on residency, if the voter is found to live at a different address, allows any races in common to be counted.